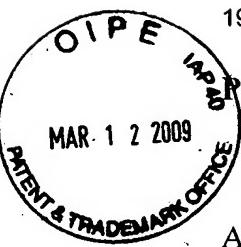


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*PR* 16324  
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PATENT

MAR 12 2009



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Giles, et al      Examiner: Shaw, Amanda Marie  
Serial No.: 10/519,224      Group Art Unit: 1634  
Filed: December 22, 2004      Confirmation No. 9719  
For: Methods and Compositions for Analyzing Compromised Samples  
Using Single Nucleotide Polymorphism Panels

Customer No.: 23719

Kalow & Springut LLP  
488 Madison Avenue, 19th Floor  
New York, New York 10022

March 9, 2009

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

This is a reply to the Notice To Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated November 20, 2008. The period set to reply to the Notice To Comply expired on December 20, 2008. Applicants hereby requests a three-month extension of time under 37 CFR 1.136(a) and enclose a check for the associated fee. Accordingly, the time for responding to the Office Action now expires on March 20, 2009, and this amendment is timely filed.

03/12/2009 MBELETE1 00000001 10519224

01 FC:1253

1110.00 OP

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: MS: Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(Signature)

(Printed Name of Person Signing Certificate)

(Date)

Applicants: GILES  
Serial No. 10/519,224  
Filing Date: December 22, 2004  
Reply to Notice to Comply  
March 9, 2009  
Page 2 of 2

1. Copy of Notice To Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Sequence Listing Transmittal (statement under 37 CFR 1.821(f));
3. Computer readable sequence listing on disk (1 disk and 1 copy);
4. Sequence listing on paper;
5. Statement under 37 C.F.R. § 1.821 that the contents of the CD that represents the paper copy are identical to the CD that represents the computer-readable form, and that no new matter has been added;
6. Amendment directing entry of Sequence Listing in the Specification; and
7. Check and petition for a 3-month extension of time.

If there are any questions or comments relating to this reply, the Examiner is respectfully invited to contact Applicant's attorney at the telephone number set forth below.

If any additional fees are due, or an overpayment has been made, please charge, or credit, our Deposit Account No. 11-0171 for such sum.

Respectfully submitted,



William D. Schmidt  
Registration No.: 39,492  
Attorney for Applicant

Kalow & Springut LLP  
Telephone No.: (212) 813-1600



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,224	10/14/2005	Robert C. Giles	13361 PCT US	9719
23719	7590	11/20/2008	EXAMINER	
KALOW & SPRINGUT LLP 488 MADISON AVENUE 19TH FLOOR NEW YORK, NY 10022				SHAW, AMANDA MARIE
ART UNIT		PAPER NUMBER		
		1634		
MAIL DATE		DELIVERY MODE		
		11/20/2008		
		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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COMMISSIONER FOR PATENTS  
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WASHINGTON, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO./CONTROL NO. 10519224	FILING DATE 10/14/2005	FIRST NAMED INVENTOR/PATENT IN REEXAMINATION GILES ET AL.	ATTORNEY DOCKET NO. 13361 PCT US
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EXAMINER AMANDA SHAW
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ART UNIT 1634	PAPER 20081117
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R., §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Web (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE)
2. Mailed to:

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Alexandria, VA 22313 1450

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401 Dulaney Street  
Alexandria, VA 22314

Any inquiry concerning this communication should be directed to Amanda Shaw at telephone number (571)272-8668. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla, can be reached on Mon-Friday at (571)272-0735.

/Carla Myers/  
Primary Examiner, Art Unit 1634

**Notice to Comply**Application No.  
10519224Applicant(s)  
Giles et alExaminer  
Amanda ShawArt Unit  
1634**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: The specification (pages 47-59) discloses 467 nucleic acid sequences that do not comply with the requirements of 37 CFR. 1.821-1.825.

**Applicant Must Provide:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-0871

For CRF Submission Help, call (571) 272-2510

PatentIn Software Program Support

Technical Assistance 1-866-217-9197 or 703-305-3028 or 571-272-6845

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,224	10/14/2005	Robert C. Giles	13361 PCT US	9719
23719	7590	11/20/2008	EXAMINER	
KALOW & SPRINGUT LLP			SHAW, AMANDA MARIE	
488 MADISON AVENUE			ART UNIT	PAPER NUMBER
19TH FLOOR				1634
NEW YORK, NY 10022				
			MAIL DATE	DELIVERY MODE
			11/20/2008	PAPER

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APPLICATION NO./CONTROL NO. 10519224	FILING DATE 10/14/2005	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION GILES ET AL.	ATTORNEY DOCKET NO. 13361 PCT US
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EXAMINER AMANDA SHAW
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ART UNIT 1634	PAPER 20081117
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DATE MAILED:

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Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

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/Carla Myers/  
Primary Examiner, Art Unit 1634



<b>Notice to Comply</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10519224	Examiner Amanda Shaw	Art Unit 1634

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

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